

IN THE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA ex rel.)	
RICHARD SHARP,)	
)	
Petitioner,)	
)	
v.)	No. 08 C 1668
)	
DONALD A. HULICK, Warden,)	
Menard Correctional Center,)	The Honorable
)	William T. Hart,
Respondent.)	Judge Presiding.

**MOTION FOR FIRST EXTENSION OF TIME TO ANSWER OR OTHERWISE
DEFEND AGAINST PETITION FOR WRIT OF HABEAS CORPUS**

Pursuant to Federal Rule of Civil Procedure 7(b)(1), respondent Donald A. Hulick hereby moves for a 30-day extension of time to answer or otherwise defend against petitioner's petition for writ of habeas corpus, stating as follows:

1. Respondent's answer or other response to the petition is currently due on or before September 2, 2008.
2. Despite due diligence, counsel will be unable to file respondent's answer or other response on or before September 2, 2008. Counsel has requested, but not yet received, the relevant state court materials necessary to file an informed response to the instant petition.
3. This motion is respondent's first request for an extension of time.
4. This motion is not intended for purposes of delay, but is being made

solely to ensure that respondent's interests are adequately protected.

5. Counsel for respondent was unable to contact the pro se petitioner to secure his agreement to the motion prior to filing, as petitioner is incarcerated.

WHEREFORE, respondent respectfully requests that this Court grant his motion for a 30-day extension of time, to and including October 2, 2008, within which to answer or otherwise defend against the petition.

September 2, 2008

Respectfully submitted,

LISA MADIGAN
Attorney General of Illinois

BY: /s/ Charles Redfern
CHARLES REDFERN, Bar # 6283811
Assistant Attorney General
100 W. Randolph Street, 12th Floor
Chicago, IL 60601-3218
PHONE: (312) 814-3565
FAX: (312) 814-2253
EMAIL: credfern@atg.state.il.us

CERTIFICATE OF SERVICE

I certify that on September 2, 2008, I electronically filed respondent's **Motion For First Extension Of Time To Answer Or Otherwise Defend Against Petition For Writ of Habeas Corpus** and **Notice Of Motion** with the Clerk of the United States District Court for the Northern District of Illinois, Eastern Division, using the CM/ECF system, and on the same date mailed a copy of these documents via United States Mail to the following non-CM/ECF user:

Richard Sharp, K76248
Menard Correctional Center
711 Kaskaskia Street
P.O. Box 711
Menard, Illinois 62259

/s/ Charles Redfern
CHARLES REDFERN, Bar # 6283811
Assistant Attorney General
100 W. Randolph Street, 12th Floor
Chicago, IL 60601-3218
PHONE: (312) 814-3565
FAX: (312) 814-2253
EMAIL: credfern@atg.state.il.us